

**LORI HARPER SUEK**  
**Assistant U.S. Attorney**  
**U.S. Attorney's Office**  
**James F. Battin U.S. Courthouse**  
**2601 Second Ave. North, Suite 3200**  
**Billings, MT 59101**  
**Phone: (406) 657-6101**  
**FAX: (406) 657-6989**  
**E-Mail: Lori.Suek@usdoj.gov**

**ATTORNEY FOR PLAINTIFF**  
**UNITED STATES OF AMERICA**

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF MONTANA**  
**BILLINGS DIVISION**

<b>UNITED STATES OF AMERICA,</b>  <b>Plaintiff,</b>  <b>vs.</b>  <b>CHARLES JESSE SANCHEZ, JR.,</b>  <b>Defendant.</b>	<b>CR 17-121-BLG-SPW</b>  <b>OFFER OF PROOF</b>
--	---

The defendant, Charles Jesse Sanchez, Jr., is charged by indictment with conspiracy to distribute and to possess with intent to distribute methamphetamine,

in violation of 21 U.S.C. § 846 – count I; and with possession with intent to distribute methamphetamine, in violation of 21 U.S.C. § 841(a)(1) – count II.

### **PLEA AGREEMENT**

Sanchez will plead guilty to count II of the indictment. The plea agreement entered into by the parties and filed with the Court is the only offer extended to Sanchez. *See Missouri v. Frye*, 566 U.S. 133, 146-147 (2012).

### **ELEMENTS OF CHARGE**

In order for Sanchez to be found guilty of possession with intent to distribute methamphetamine, as charged in count II of the indictment, the United States must prove each of the following elements beyond a reasonable doubt:

First, the defendant knowingly possessed methamphetamine; and

Second, the defendant possessed it with the intent to distribute it to another person.

Although not an element, the United States would also have to prove beyond a reasonable doubt that the defendant possessed with the intent to distribute 50 or more grams of a substance containing a detectable amount of methamphetamine.

### **PENALTY**

This crime carries a penalty of a mandatory minimum five years to forty years of imprisonment, a \$5,000,000 fine, at least four years of supervised release, and a \$100 special assessment.

### **ANTICIPATED EVIDENCE**

If this case were tried in United States District Court, the United States would prove the following:

For approximately two months before September 11, 2017, the U.S. Marshals Service was looking for Sanchez because of an outstanding warrant for violations of supervised release. Specifically, he had stopped reporting, absconded supervision, and was believed to be hiding on either the Crow or Northern Cheyenne Indian Reservation.

On September 11, 2017, the Marshals Service received a tip that Sanchez was staying with his girlfriend at the Rimview Inn in Billings. They found Sanchez there. He had a small amount of drugs and a needle on his person when he was arrested. Because the Marshals knew that Sanchez was an individual under investigation by the Billings drug task force, they notified the task force of his arrest. The task force responded to the scene and asked Sanchez to talk, which he agreed to do. Sanchez admitted that law enforcement

would find methamphetamine in the motel room. After obtaining a search warrant, law enforcement searched the motel room and found approximately ten ounces of what field-tested to be methamphetamine. The results of the analysis of the methamphetamine seized from the Sanchez has not returned from the laboratory, but, it is not disputed by the parties, that Sanchez possessed with the intent to distribute 50 or more grams of a substance containing a detectable amount of methamphetamine.

DATED this 5th day of July, 2018.

KURT G. ALME  
United States Attorney

/s/ Lori Harper Suek  
LORI HARPER SUEK  
Assistant U.S. Attorney